



MAINE STEP-UP PROGRAM AGREEMENT

Leadership Track

Wright-Ryan Construction, Inc.

PURPOSE

The Maine Department of Environmental Protection and Wright-Ryan Construction, hereinafter referred to as WRC, have agreed to explore new ways of protecting the environment that go beyond regulatory compliance. WRC commits to continuously improve its business practices to protect people and the environment. WRC will publicly report on its progress to inspire other businesses to seek improvement in their own environmental performance.

The Maine Department of Environmental Protection commits to vigorously assist WRC on its “climb up the mountain”—accepting the challenge—to find environmentally sustainable ways of doing business. The Goals Toward Sustainability set forth in Section 2. B. in this agreement are for the “Pathways” described in the “Climbing the Mountain” diagram found in the Department’s A Guide for Your Business: Smart Production and the Maine Step-Up Program.

The Maine Department of Environmental Protection provides Step-Up Participants priority status wherever possible in permitting, assistance and regulatory matters that may be requested for the term of this agreement.

1. INTRODUCTION

Wright-Ryan Construction, Inc. is a General Contracting/Construction Management firm based in Portland, Maine. Since its inception in 1973 and incorporation in 1984, Wright- Ryan Construction has built its business around the mission of setting the standard for customer service and professional management in the construction industry. The success achieved is driven by the strength of the relationships with owners, design professionals, and vendors that have been forged in our thirty years of operation. We are presently among the top two largest firms in the state performing commercial, institutional, historical, multi-family and single family residential work.

Wright-Ryan Construction is currently owned and operated by Thomas B. Wright and John W. Ryan. Tom Wright started the business on Cliff Island in Casco Bay as Thomas B. Wright Construction in 1973. Tom and John incorporated in 1984 to form Wright-Ryan Construction, Inc., moved the organization to Portland, Maine and continue to lead the business today. Their “hands on” approach to business assures they are personally involved in every project we undertake and make a strong commitment to the success of each project. Their involvement reinforces each member of our team’s unconditional commitment to achieving safe working conditions, unrivaled customer service, reliability regardless of the challenges, respectful and fair treatment of all parties and unsurpassed attention to detail. Tom and John have been lifelong friends as well as enjoying over 30 years of professional association.

We operate a millwork division which is a significant part of our company's overall effort, producing high quality custom cabinetry, architectural millwork and furniture. Many of New England's finest homes bear testament to the accomplishments of our millwork. We are a true general contractor in the sense that we maintain our own labor force for performing certain aspects of the work. We have the capability of performing general conditions work, demolition, concrete work, limited steel erection, rough carpentry and finish carpentry.

Our main office is 9,000 square feet and is located in Portland, Maine. Our shop operates from two buildings at a separate location, also in Portland. The shop facility is approximately 10,000 square feet and is home to the millwork division and field operations.

The DEP's STEP-UP Program is an excellent instrument to assist WRC in its quest for sustainability. WRC commits to participate in this program and to strive toward sustainability goals for its business. The Department will largely assist WRC by providing technical services and public recognition for achievements made by WRC under the STEP-UP Program agreement during its three-year term. The Department will assign a senior staff person to work with WRC during the design and implementation of the agreement.

2. PERFORMANCE COMMITMENTS

A. Environmental Business Practices

Commitment to Partnerships – Wright-Ryan Construction (WRC) is committed to entering into partnerships with other businesses interested in furthering the purposes outlined in this agreement and/or to share best practices.

Commitment to Compliance – WRC is currently in compliance with all applicable State of Maine environmental requirements including:

- Department of Environmental Protection - Site Location of Development Permits
- Maine's Erosion and Sedimentation Control Program
- Maine's Stormwater Management requirements
- Department of Environmental Protection - Asbestos Abatement Regulations and Notifications
- Department of Environmental Protection - Lead Paint Regulations
- Maine's Hazardous Waste Management Regulations

Commitment to Environmental Management Systems – WRC is committed to maximize its efforts to protect the environment in which our employees both work and live. WRC commits to developing policies and procedures for its company wide Environmental Management System (EMS) to address the following major concerns:

- Pollution prevention program
- Ensure our activities have minimal impact on our environment
- Ensure our processes conserve the earth's resources
- Create and maintain safe and healthful work environments

Once in place, we will communicate this EMS to all of our employees throughout the company and to all of our subcontractors that are working on our jobsites with the expectation that they will maintain familiarity with it. We will continually monitor our work environments to ensure that these policies and procedures are adhered to.

To ensure that all of our EMS policies and procedures are properly communicated, understood, practiced and enforced, we will continually include them in the agenda of our individual weekly jobsite safety meetings. In each of these weekly meetings, our project superintendents will focus on different aspects of the EMS, which will over time guarantee all employees are presented the full array of the contents of our EMS and that the contents are continually reinforced.

Commitment to Workers & Community – WRC commits to company-wide training and continuous improvement programs. The WRC workforce is already committed to the general goal of sustainability and much progress has already been made, but additional opportunities remain for education and collaboration toward specific goals and for improvement in all areas.

- First, we propose to educate employees in the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) standards and have a minimum of ten employees attain LEED Accredited status within the next three-year period. The LEED program is committed to establishing a common standard of measurement in the building industry based upon scientific standards. LEED emphasizes state of the art strategies for sustainable site development, water and energy efficiency, materials selection and indoor environmental quality. With the intent to transform the building market and raise awareness among designers, builders and consumers, the program promotes a fully integrated team approach to the building process.
- In conjunction with this first initiative, we commit to providing and recommending LEED and Green ideas to all of the project owners to whom we provide pre-construction services. We will support this commitment by educating the project owners on these ideas and offering initial cost information along with a life-cycle cost analysis and the anticipated long term savings for each of the ideas presented.
- WRC also plans to develop and incorporate a statement of our commitment to environmental responsibility in each employee position description. We plan to evaluate each employee position description, and develop and incorporate specific and measurable goals within each one.
- WRC commits to communicating our commitment to the practices, listed below, to the tenants in our office building to ensure that energy consumption is minimized and waste reduction is encouraged. Furthermore, new developments in the industry and services will permit further improvements that may not be predictable today.

To improve education and participation in sustainability initiatives undertaken through the STEP-UP program, environmental updates will be incorporated into meetings of the various company constituencies, upon the direction of the meeting facilitator. The goals will be to engage everyone in the company's efforts to save energy, decrease pollution, and reduce material use and improve reuse and recycling. Internal reports on energy use and materials flows will be produced quarterly in the WReview, the quarterly newsletter, or other forms of communication such as the website. Each report will cover activities and

milestones achieved vs. plan. The tracking system will use a visual display to show progress (such as bar charts, graphs or tables) so that employees and others can easily follow progress. Environmental metrics will be reported to all employees to enhance interest in WRC environmental performance and highlight successes and needs.

B. Goals

Energy Pathway –

Millwork Shop

Electrical Power - Subscribe to Efficiency Maine's Business Program to reduce overall electrical consumption, per square foot of Millwork shop area, by 10% as measured against historical data by:

- Changing all existing Fluorescent Lamps to new high performance T-8 Lighting with Integral Electronic Ballast.
- Replace existing exit signs with Solid State Exit Signs
- Install Occupancy Controls for Lighting

In addition, WR Millwork pledges to increase the purchase of electrical power generated from renewable energy sources to 10% of the total power consumed.

Fuel Oil – Wright-Ryan Millwork is committed to reducing its reliance and overall consumption of fuel oil to heat its shop. We are currently researching and considering the purchase of a new furnace from Talbot's Biomass and Wood Waste Energy Systems. This furnace will heat 6,000 square feet of the millwork shop utilizing only scrap wood waste materials that would ordinarily be discarded. The existing oil furnace will be kept only as a back up heating system to the Biomass Heater. This will greatly reduce our fuel oil usage. Additionally, the Biomass heaters are available in larger sizes which can accommodate any future expansions of our current millwork facility.

Headquarters

Electric Power - WRC is committed to reducing overall electrical power consumption, per square foot of office area, by 10% as measured against historical data. In addition, WRC pledges to increase the purchase of electrical power generated from renewable energy sources to 10% of the total power consumed.

Natural Gas - In the twelve month period from August 2004 through August 2005, WRC used 3,418 CCF's of natural gas as measured by the

five gas meters that feed WRC offices and three adjoining tenants. Upon entering into the STEP-UP program, WRC is committed to reducing our annual fuel consumption by 10%, thereby reducing our carbon emissions.

Jobsites

WRC recognizes that its numerous project jobsites consume a considerable amount of electrical power during construction and use a significant amount of fossil fuels to temporarily heat these projects during the winter months. Each project has unique characteristics that make it very difficult to compare energy usage, or decreases in energy usage, between projects or successive time frames. That being said, WRC is committed to developing company policies and procedures that will minimize the use of electrical power and the burning of heating fuels for its construction activities. We will collect, record, and report the electrical power and fuel consumption for each of our projects. WRC welcomes the opportunity to work with Maine DEP to develop measurement methods to track our progress in decreasing our usage of electrical power and fossil fuels at our jobsites.

General

WRC commits to joining the Governor's Carbon Challenge within three months from the date of this agreement, and will thereby commit itself to reduce its carbon emissions.

Inputs, Raw Materials & Products Pathway – The WR Millwork shop is our only true manufacturing facility. As described in 1. Introduction above, we produce custom cabinetry, architectural millwork and furniture using hardwood and plywood as our raw products. As a measure to become more sustainable, WR Millwork commits to maximizing the use of FSC Certified raw products, those grown, harvested, milled, and produced using sustainable guidelines, and/or those manufactured from recycled materials. Our decisions on the selection of these raw materials will be based on current market conditions and availability. WR Millwork reserves the opportunity to revisit these decisions over time as market conditions change. (See Note 1 below)

Toxics Pathway – The millwork shop uses wood adhesives, finishes and other toxic chemicals in its manufacturing processes. We realize that many new less toxic and non-toxic products are continually being introduced in the marketplace. WR Millwork is committed to maximizing the use of these less toxic and non-toxic products that allow us to maintain our high quality manufacturing standards. (See Note 1 below)

Note 1 - Because we manufacture customized woodwork, it is virtually impossible to establish meaningful annual base lines for our material usage; therefore we will measure our annual progress by

comparing the percentages of certified/sustainable/recycled raw materials and less/non-toxic adhesives and finishes used on an annual basis.

Solid Waste Pathway –

Millwork Shop

If WR Millwork decides to purchase the Talbot's Biomass Heating System described above, we will greatly reduce our wood waste disposal by using most of the wood waste we generate as fuel to heat the existing shop. The millwork shop office plans on reducing its office waste stream by 10% over the period of the two-year contract. As for recyclable materials, we will pledge to continue diverting all #1 and #2 plastics, cardboard, newspapers, magazines, glass, aluminum and envelopes from the waste stream. WR Millwork plans to increase its recyclable materials, as measured against the total office waste stream, to 40%.

Headquarters

WRC plans on reducing its office waste stream by 10% over the period of the three-year contract. As for recyclable materials, we will pledge to continue diverting all #1 and #2 plastics, cardboard, newspapers, magazines, glass, aluminum and envelopes from the waste stream. WRC plans to increase its recyclable materials, as measured against the total office waste stream, to 40%.

Jobsites

Wright-Ryan will divert 50% of the haul weight of all construction, demolition and land clearing debris generated on each individual site from landfill disposal by separating this debris at each jobsite and sending the separated materials to appropriate recycling sites regulated by the State of Maine. Because of the "uniqueness" of our individual project jobsites, it is virtually impossible to establish a meaningful base line on a weight basis by project; therefore we will measure our progress by comparing the percentage of debris diverted to recycling facilities for each of our projects.

C. Measurement Methods

Energy Pathway

- Millwork Shop

Electrical Power – WR Millwork will use the current meter readings contained on its CMP bills and compare the electrical power consumption against historical data previously collected.

Fuel Oil – WR Millwork will use the current delivered gallons contained on its fuel oil bills and compare the fuel oil consumption against historical data previously collected.

- Headquarters

Electrical Power - WRC will use the current meter readings contained on its CMP bills and compare the electrical power consumption against historical data previously collected.

Natural Gas - WRC will use the current meter readings contained on its Northern Utility bills and compare the natural gas consumption against historical data previously collected.

- Jobsites

As stated in 2.B above, WRC will collect, record, and report the electrical power and fuel consumption for each of our projects and welcomes the opportunity to work with Maine DEP to develop measurement methods to track our progress in decreasing our usage of electrical power and fossil fuels at our jobsites.

- General

As part of the Governor's Carbon Challenge program, WRC will collect, record, and report the progress made towards our established reductions in carbon emissions goals.

Inputs, Raw Materials & Products Pathway

- Millwork Shop

WR Millwork will carry out its commitments as outlined in 2.B above and will report its decisions and progress to Maine DEP.

Toxics Pathway

- Millwork Shop

WR Millwork will carry out its commitments as outlined in 2.B above and will report its decisions and progress to Maine DEP.

Solid Waste Pathway

- Millwork Shop

Each time trash leaves the shop premises, we will weigh the contents and keep a log. We will also weigh the recyclable materials each time we deliver them to the City of Portland recycling facilities and record the weight of our waste stream diverted from landfills.

- Headquarters

Each time trash leaves the office premises, we will weigh the contents and keep a log. We will also weigh the recyclable materials each time we deliver them to the City of Portland recycling facilities and record the weight of our waste stream diverted from landfills.

- Jobsites

The weight of all construction debris which is separated, hauled and recycled on each individual site will be measured and logged. We will also measure and log the total weight of all construction debris generated and hauled off of that individual site. The ratio of recycled debris over the total generated for each jobsite will be recorded and reported.

D. Public Involvement

WRC will communicate STEP-UP goals and progress on an ongoing basis in the key areas of endeavor.

WRC will issue press releases about its participation in the STEP-UP program and will also publish STEP-UP reports and supporting information on the WRC website. Individual news items will be published whenever there is anything to report that could stimulate interest in sustainability and actions toward achieving it in the surrounding communities.

E. Mentoring

WRC will be available to mentor at least one other organization by providing knowledge, experience, examples, and support to design and implement an Environmental Management System and to prepare for and implement an Agreement with DEP's STEP-UP Program.

F. Relationship

WRC will work closely with the DEP to achieve its sustainability goals by complying with regulatory requirements while working to find mutually agreeable solutions to issues that may stand in the way of achieving its environmental

improvement goals. DEP will make staff available to WRC for technical and regulatory assistance. This assistance will be provided consistent with existing State law and agency policy.

DEP expects to forego civil penalties for certain types of first-time violations discovered in the process of providing assistance or disclosed as a result of compliance audits performed by WRC when WRC corrects the non-compliant condition within the shortest practicable time period, and in all cases within 90-days of discovery. Violations excluded from this provision are those listed in Maine DEP's Small Business Compliance incentives Policy, Section III (as amended February 14, 1996) and its Supplemental Environmental Projects Policy, Section V (as amended June 15, 2000). Regular or necessary compliance inspections performed as part of day-to-day business at Maine DEP are not subject to these provisions.

G. Recognition

DEP will recognize WRC participation in the STEP-UP Program by including specific information on the STEP-UP web pages maintained by the State, and in press releases from time-to-time to keep the general public informed of WRC's status in the program.

3. REPORTING

WRC will submit annual (due annually from the date of the contract) progress reports to DEP citing accomplishments toward achieving sustainability goals. The reports will utilize the reporting format described in Section 2.C above. DEP agrees to hold identified WRC proprietary business data confidential. DEP will report annually to WRC on its progress toward meeting its commitments outlined in Section 2.F above.

4. TERMINATION

Either party to this Agreement may terminate the participation of WRC in the STEP-UP Program with 30-days notice to the other party.

WITNESS here today, December 22, 2005, that the undersigned parties enter into this agreement.

John E. Baldacci, Governor State of Maine

Thomas B. Wright, President
Wright-Ryan Construction, Inc.